

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CIVIL REVISION PETITION No.774 of 2013

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed challenging the order, dated 21.01.2013, passed in Interlocutory Application No.341 of 2012 in Original Suit No.87 of 2007, by the Senior Civil Judge, Kothapeta, East Godavari District, whereby, the petition filed under Order I Rule 10 of Code of Civil Procedure (for short, 'C.P.C') to implead the proposed respondents as defendants 7 and 8 in the suit, was dismissed.

2. The petitioner herein, who is a plaintiff, filed the aforesaid suit only for injunction simplicitor alleging that the defendants in the main suit are making attempts to infringe or invade his legal right over the schedule property and nothing was alleged against the proposed respondents. In view of orders passed by this Court in the writ petition, the petitioner can implead the proposed respondents as defendants 7 and 8 in the main suit, but the main suit itself was disposed of by the trial Court on 15.11.2016 and now appeal is pending in A.S.No.73 of 2016 before II Additional District Court, Amalapuram. Therefore, when the suit itself was disposed of, impleading of proposed respondents as defendants 7 and 8 in the suit does not arise. However, liberty is given to the petitioner to move appropriate application in pending appeal.

3. With the above direction, the Civil Revision Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this revision petition shall stand closed.

M. SATYANARAYANA MURTHY, J

JUNE 23, 2017

YVL

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY



CIVIL REVISION PETITION No.774 of 2013

Date: 23.06.2017

YVL